

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

KATHY CLAY,)	
)	
Plaintiff,)	
)	
v.)	No. 4:12 CV 991 DDN
)	
HSBC BANK USA, N.A., et al.,)	
)	
Defendants.)	

ORDER AND RECOMMENDATION

This removed action is before the court on the motion of plaintiff Kathy Clay to remand. (Doc. 8.) At the hearing held on July 10, 2012, defendant HSBC Bank USA, N.A., the removing party, agreed that the Notice of Removal (Doc. 1) was not timely filed and that the action should be remanded to the Circuit Court of the City of St. Louis.

Therefore,

IT IS HEREBY ORDERED that, because the parties have not all consented to the exercise of plenary authority by the assigned Magistrate Judge under 28 U.S.C. § 636(c), the Clerk of Court shall reassign this action to a District Judge by the random selection process.

IT IS HEREBY RECOMMENDED that the motion of plaintiff Kathy Clay to remand this action to the Circuit Court of the City of St. Louis (Doc. 8) be sustained.

The parties are advised they have 14 days to file written objections to this Order and Recommendation.

/S/ David D. Noce
UNITED STATES MAGISTRATE JUDGE

Signed on July 10, 2012.